

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

GEORGE NIXON

PLAINTIFF

VS.

CAUSE NUMBER: 1:09CV289-LG-RHW

STATE FARM FIRE AND CASUALTY COMPANY

DEFENDANT

MOTION FOR EXTENSION OF TIME
TO SUBSTITUTE PARTY

Comes now, Russell S. Gill, attorney of record, for George Nixon, Deceased, and files this Motion for Extension of Time to Substitute Party, and would show unto the Court as follows:

1. The Plaintiff filed his Complaint on July 23, 2008.
2. That on the 6th day of May, 2009, GEORGE S. NIXON departed this life, having at the time of his death a fixed place of residence at 160 Byrd Street, Carriere, Pearl River County, Mississippi. The decedent left no Last Will and Testament, to the best of your Movant's knowledge and belief.
3. The Attorney is in the process locating Moya Nixon, Plaintiff's daughter, so that the Estate can be opened. The paperwork has been prepared, but Ms. Nixon has been unavailable to sign same after indicating she would do so.
4. This is the first request for such an extension and no prejudice would result to Defendant.

WHEREFORE, PREMISES CONSIDERED, your Movant respectfully requests this Court to grant the Motion for Extension of Time for Opening the Estate, by allowing up to November 15, 2009, to substitute parties. Your Movant prays for any further relief to which he may be entitled.

Respectfully submitted, this the 13TH day of October, 2009.

GEORGE NIXON, Deceased

/s/ Russell S. Gill
BY: Russell S. Gill, MSB#4840
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I, RUSSELL S. GILL, do hereby certify that on the 13th day of October, 2009, I electronically filed the foregoing document with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

H. SCOT SPRAGINS, MSB # 7748
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SO CERTIFIED this the 13th day of October, 2009.

s/ Russell S. Gill
RUSSELL S. GILL

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